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SENATE BILL 2442

By Davis L

AN ACT to amend Tennessee Code Annotated, Section 2-5-101, relative to dates and times for filing nominating petitions for certain elections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-5-101(a), is amended by deleting the second sentence of the subsection and by substituting instead the following language:

Except as provided in (a)(5) created in Section 3 of this act, independent and primary candidates for all other elections shall qualify by filing all nominating petitions, including any duplicate nominating petitions required to be filed under §§ 2-5-103 and 2-5-104, no later than twelve o'clock (12:00) noon, prevailing time, on the third Thursday in the third calendar month before an election.

SECTION 2. Tennessee Code Annotated, Section 2-5-101(a)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

Independent candidates for any office to be filled in a regular August general election for which a May primary has been called under § 2-13-203 shall qualify by filing their petitions for the August election no later than twelve o'clock (12:00) noon, prevailing time, on the third Thursday in February. Except as provided in (a)(5) created in Section

3 of this act, in the event no May primary authorized under § 2-13-203 is called, for any office to be filled in the regular August general election, then independent candidates shall qualify by filing their petitions no later than twelve o'clock (12:00) noon, prevailing time, on the third Thursday in May. In presidential election years, if a political party calls for the county primary in March, the qualifying deadline for candidates in the primary shall be twelve o'clock (12:00) noon, prevailing time, the third Thursday in January. Independent candidates for offices which will appear on the county primary ballot shall qualify by filing their petitions at the same time primary candidates qualify. Independent candidates for offices to be filled at the regular August election which will not appear on the primary ballot shall qualify by filing their petitions no later than twelve o'clock (12:00) noon, prevailing time, on the first Thursday in the fourth calendar month prior to the regular August election.

SECTION 3. Tennessee Code Annotated, Section 2-5-101(a), is amended by adding the following as a new, appropriately designated, subdivision:

(5) In presidential election years, candidates for county offices to be filled in a regular August election for which no county primary is called shall qualify by filing their petitions for the August election no later than twelve o'clock (12:00) noon, prevailing time, on the first Thursday in the fourth calendar month before the August election.

SECTION 4. Tennessee Code Annotated, Section 2-5-101(e), is amended by deleting the second sentence of the subdivision and by substituting instead the following language:

Except as provided in (a)(5) created in Section 3 of this act, if no primary is held, party nominees shall be certified no later than twelve o'clock (12:00) noon, prevailing time, on the third Thursday in May.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

